



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB2166

Introduced 8/4/2015, by Sen. Ira I. Silverstein

SYNOPSIS AS INTRODUCED:

720 ILCS 5/24-11 new

Amends the Criminal Code of 2012. Provides that it is a Class B misdemeanor for a person to purchase, possess, conceal, use, sell, give away, or otherwise transfer, or to engage in the business of selling or to exhibit for sale, a replica firearm, paint pellet, or paint pellet gun in the State. Provides that each replica firearm shall have as an integral part, permanently affixed, a blaze orange plug inserted in the barrel of the replica firearm. Provides that the plug shall be recessed no more than 6 millimeters from the muzzle end of the barrel of the firearm. Provides exceptions. Provides that each purchase, use, sale, gift, or transfer of any replica firearm, paint pellet, or paint pellet gun in violation of this provision shall be deemed a separate and distinct offense, and each day a person unlawfully engages in the business of selling or exhibits for sale any replica firearm, paint pellet, or paint pellet gun in violation of this provision is a separate and distinct offense. Effective immediately.

LRB099 13569 RLC 37513 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Criminal Code of 2012 is amended by adding
5 Section 24-11 as follows:

6 (720 ILCS 5/24-11 new)

7 Sec. 24-11. Replica firearms and pellet guns.

8 (a) In this Section:

9 "Paint pellet gun" means any firearm, toy firearm or
10 toy in the nature of a firearm which is powered by
11 compressed gas and which fires paint pellets.

12 "Replica firearm" means any device, object or
13 facsimile made of plastic, wood, metal, or any other
14 material, that a person could reasonably perceive as an
15 actual firearm but that is incapable of being fired or
16 discharged, including, but not limited to, mobile phone
17 cases, lighters, and cameras, except that the term does not
18 include any replica of an antique firearm, as defined in 18
19 U.S.C. 921(a)(16).

20 (b) It is unlawful for any person to purchase, possess,
21 conceal, use, sell, give away, or otherwise transfer, or to
22 engage in the business of selling or to exhibit for sale, a
23 replica firearm, paint pellet, or paint pellet gun in this

1 State, except as provided in subsection (c) of this Section.
2 Each replica firearm shall have as an integral part,
3 permanently affixed, a blaze orange plug inserted in the barrel
4 of the replica firearm. The plug shall be recessed no more than
5 6 millimeters from the muzzle end of the barrel of the firearm.

6 (c) The manufacture, marketing, distribution, sale, and
7 possession of replica firearms are permitted if the devices are
8 manufactured, marketed, distributed, sold, or held solely for
9 subsequent transportation in interstate or foreign commerce.
10 The devices shall not be displayed to the general public or
11 sold for other use in this State. The use or possession of a
12 paint pellet or paint pellet gun is permitted if the use or
13 possession is solely within premises licensed as a public place
14 of amusement; or if the use or possession is solely for the
15 purpose of transporting the paint pellet or paint pellet gun to
16 or from those premises by the licensee or agent or employee of
17 the licensee, or by a common carrier, for purposes of initial
18 delivery, repair, or disposal of the paint pellet or paint
19 pellet gun.

20 (d) Sentence. A person who violates this Section is guilty
21 of a Class B misdemeanor. Each purchase, use, sale, gift, or
22 transfer of any replica firearm, paint pellet, or paint pellet
23 gun in violation of this Section is a separate and distinct
24 offense, and each day a person unlawfully engages in the
25 business of selling or exhibits for sale any replica firearm,
26 paint pellet, or paint pellet gun in violation of this Section

1 is a separate and distinct offense.

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.